

254 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-35749-2024 (O&M)
Date of Decision: 29.08.2024

TUSHAR
V/S
STATE OF HARYANA AND ANOTHER
...PETITIONER
...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Ms. Diksha, Advocate
for the petitioner.

Mr. Vikas Bhardwaj, AAG Haryana.

Mr. Azad Khan, Advocate
for respondent No. 2.

HARPREET SINGH BRAR J. (ORAL)

1. This petition has been filed under Section 528 of Bhartiya Nagarik Suraksha Sanhita, 2023 seeking quashing of FIR No.118 dated 09.02.2023 under Section 506 of IPC and Section 12 of POCSO Act registered at Police Station Karnal Sadar, District Karnal (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of compromise dated 08.07.2024 (Annexure P-2) which is supported by an affidavit dated 08.07.2024 (Annexure P-3).

2. The following order was passed on 29.07.2024:

“This petition has been filed under Section 528 of Bhartiya Nagarik Suraksha Sanhita, 2023 seeking quashing of FIR No.118 dated 09.02.2023 under Section 506 of IPC and Section 12 of POCSO Act registered at Police Station Karnal Sadar, District Karnal (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of compromise dated 08.07.2024 (Annexure P-2) which is supported by an affidavit dated 08.07.2024 (Annexure P-3).



Notice of motion for 29.08.2024.

At this stage, on the asking of the Court, Ms. Geeta Sharma, DAG, Haryana accepts notice on behalf of respondent No.1-State and Mr. Azad Khan, Advocate accepts notice for respondent No.2 and files his vakalatnama and admits to the factum of compromise. Copy of the paper book be supplied to them during the course of day.

Service is complete.

In the meanwhile, the parties are directed to appear before the learned trial Court/Illaqa Magistrate within two weeks from today or any other date convenient to the trial Court/Illaqa Magistrate, to get their statements recorded regarding compromise and after recording their statements, learned trial Court/Illaqa Magistrate is directed to send report regarding the genuineness of compromise and also to intimate whether any PO proceedings are pending against any of the party on or before the date fixed i.e. 29.08.2024.

A copy of the order be sent to learned trial Court/Illaqa Magistrate through fax for compliance.”

3. In compliance of the aforesaid order, a report has been received from the concerned jurisdictional Court that the compromise between the parties is genuine and arrived at without any pressure or coercion from anyone.

4. In view of the compromise and the ratio of law laid down by the Hon'ble Supreme Court in **Narinder Singh and others vs. State of Punjab and another, (2014) 6 SCC 466**, **Ramgopal and another Vs. State of Madhya Pradesh 2021 SCC OnLine SC 834** and **Shakuntala Sawhney (Mrs) Vs. Kaushalya (Mrs.) and others (1980) 1 SCC 63** and Full Bench of this Court in **Kulwinder Singh Vs. State of Punjab 2007 (3) RCR (Crl.) 1052**, this petition is allowed and FIR No.118 dated 09.02.2023 under Section 506 of IPC and Section 12 of POCSO Act registered at Police Station Karnal

Sadar, District Karnal (Annexure P-1) along with all subsequent proceedings arising therefrom are quashed, qua the petitioner.

(HARPREET SINGH BRAR)
JUDGE

29.08.2024
Ajay Goswami

(i)	Whether speaking/reasoned	Yes/No
(ii)	Whether reportable	Yes/No